

HOUSE JOURNAL

SEVENTY-THIRD LEGISLATURE, REGULAR SESSION

PROCEEDINGS

TWENTY-NINTH DAY — THURSDAY, MARCH 4, 1993

The house met at 10 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 77).

Present — Mr. Speaker; Alexander; Allen; Alonzo; Alvarado; Averitt; Bailey; Berlanga; Black; Blackwood; Bosse; Brady; Brimer; Cain; Campbell; Carona; Carter; Chisum; Clemons; Coleman; Combs; Conley; Cook; Counts; Crabb; Craddick; Cuellar, H.; Cuellar, R.; Danburg; Davila; Davis; De La Garza; Dear; Delco; Delisi; Denton; Driver; Duncan; Dutton; Earley; Eckels; Edwards; Erickson; Finnell; Flores; Gallegos; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Harris; Hartnett; Heflin; Hernandez; Hightower; Hill; Hirschi; Hochberg; Holzheuser; Horn; Hudson; Hunter, B.; Hunter, T.; Jackson; James; Johnson; Jones, D.; Jones, J.; Junell; Kamel; Krusee; Kubiak; Kuempel; Linebarger; Longoria; Madden; Marchant; Martin; Maxey; McCoulskey; McDonald; Moffat; Moreno; Mowery; Munoz; Naishtat; Oakley; Ogden; Oliveira; Park; Parra; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Rodriguez; Romo; Rudd; Sadler; Saunders; Schechter; Seidlits; Shields; Siebert; Smith, A.; Smith, D.; Smithee; Solis; Stiles; Swinford; Tallas; Talton; Telford; Thompson, G.; Thompson, S.; Turner, B.; Turner, S.; Uher; Van de Putte; Vowell; West; Williamson; Willis; Wilson; Wolens; Yarbrough; Yost; Zbranek.

Absent, Excused — Corte; Culberson; Hilbert; Hilderbran; McCall; Nieto; Patterson.

Absent — Bomer; Gallego; Granoff; Lewis.

The invocation was offered by Reverend Nell F. Linebarger, pastor, Staples and Kingsbury United Methodist Church, Staples, Texas, as follows:

Almighty God, whose glory is in all the world, we humbly ask you to uphold and strengthen, give wisdom to the ones we have entrusted to make the laws that provide for an orderly society. Give them the courage to stand strong for their convictions and not be swayed by the mob within humanity. Forgive those who think only of their selfish interest and help each of us to look beyond self to the higher goals of what is the best for the most people. Let us remember that "government is a trust, and the officers of the government are trustees; and both the trust and the trustees are created for the benefit of the people" (Henry Clay).

Fill our hearts with truth and righteousness, bless our endeavors, both those that govern and those that are governed. Amen.

LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence for today because of important business:

Culberson on motion of Madden.

McCall on motion of Hamric.

Hilderbran on motion of Schechter.

Hilbert on motion of Carter.

The following member was granted leave of absence for today because of important business in the district:

Nieto on motion of Zbranek.

The following member was granted leave of absence for today because of a family emergency:

Patterson on motion of Black.

The following member was granted leave of absence for today because of the birth of his baby:

Corte on motion of James.

CAPITOL PHYSICIAN

Speaker Laney presented Dr. Leonard G. Paul of San Antonio, Texas, as the "Doctor for the Day."

The house welcomed Dr. Paul and thanked him for his participation in the "Capitol Physician" program sponsored by the Texas Academy of Family Physicians.

INTERPRETER FOR THE DEAF

The interpretation of the proceedings of the house is provided today by Sandra Rouse.

SIGNED BY SPEAKER

The speaker signed in the presence of the house, after giving due notice thereof, the following enrolled resolutions:

HCR 14, HCR 61, SCR 33

HR 283 - ADOPTED

Representative R. Cuellar moved to suspend all necessary rules to take up and consider at this time, **HR 283**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By R. Cuellar:

HR 283, Honoring the city of Pharr on its many achievements.

The resolution was read and was adopted without objection.

On motion of Representative Gutierrez, the names of all the members of the house were added to **HR 283** as signers thereof.

(Bomer now present)

HR 359 - ADOPTED

Representative Cain moved to suspend all necessary rules to take up and consider at this time, **HR 359**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Cain:

HR 359, Congratulating Jose Maria Emeterio Avila Alonzo on the occasion of his first birthday and baptism.

The resolution was adopted without objection.

HR 361 - ADOPTED

Representative Pitts moved to suspend all necessary rules to take up and consider at this time, **HR 361**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Pitts:

HR 361, Commending Jody Hawkins for her victory in the River City 10-mile run.

The resolution was adopted without objection.

HR 362 - ADOPTED

Representative Pitts moved to suspend all necessary rules to take up and consider at this time, **HR 362**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Pitts:

HR 362, Paying tribute to the life of Herman Edward Williams.

The resolution was unanimously adopted by a rising vote.

HR 364 - ADOPTED

Representative Counts moved to suspend all necessary rules to take up and consider at this time, **HR 364**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Counts:

HR 364, Congratulating Reed Hilary Ellis Johnson on his second birthday.

The resolution was adopted without objection.

On motion of Speaker Laney, the names of all the members of the house were added to **HR 364** as signers thereof.

HR 347 - ADOPTED

Representative Jackson moved to suspend all necessary rules to take up and consider at this time, **HR 347**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Jackson:

HR 347, Recognizing June 12 and 13, 1993, as Galveston Bay Weekend.

The resolution was adopted without objection.

HR 365 - ADOPTED

Representative Jackson moved to suspend all necessary rules to take up and consider at this time, **HR 365**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Jackson:

HR 365, Honoring the legislative and governmental affairs division of the Deer Park Chamber of Commerce and welcoming them to the Capitol.

The resolution was adopted without objection.

HR 334 - ADOPTED

Representative McCoulskey moved to suspend all necessary rules to take up and consider at this time, **HR 334**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By McCoulskey:

HR 334, Paying tribute to the life of Ernest Zomalt.

The resolution was unanimously adopted by a rising vote.

SCR 39 - ADOPTED

(Black and Junell - House Sponsors)

Representative Black moved to suspend all necessary rules to take up and consider at this time, **SCR 39**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

SCR 39, In memory of J. T. King.

The resolution was unanimously adopted by a rising vote.

SCR 35 - ADOPTED

(Ramsey - House Sponsor)

Representative Ramsay moved to suspend all necessary rules to take up and consider at this time, **SCR 35**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

SCR 35, Paying tribute to the life of Mack Neal Solomon.

The resolution was unanimously adopted by a rising vote.

HR 360 - ADOPTED

Representative Berlanga moved to suspend all necessary rules to take up and consider at this time, **HR 360**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Berlanga:

HR 360, Congratulating Janet Allen on the occasion of her 19th birthday.

The resolution was adopted without objection.

SCR 18 - ADOPTED
(Hartnett - House Sponsor)

Representative Hartnett moved to suspend all necessary rules to take up and consider at this time, **SCR 18**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

SCR 18, Declaring March 20, 1993, as Texas Quilting Day.

The resolution was adopted without objection.

(Gallego now present)

HR 366 - ADOPTED

Representative Mowery moved to suspend all necessary rules to take up and consider at this time, **HR 366**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Mowery, et al.:

HR 366, Congratulating Judge Catherine Adamski Gant on being named the 1993 Executive Woman of the Year by the Zonta Club of Fort Worth.

The resolution was adopted without objection.

LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence for today because of important business:

Lewis on motion of Chisum.

Granoff on motion of Chisum.

REGULAR ORDER OF BUSINESS SUSPENDED

By unanimous consent, the reading and referral of bills was postponed until just prior to adjournment.

**SB 124 ON THIRD READING
(Erickson - House Sponsor)**

The speaker laid before the house on its third reading and final passage,

SB 124, A bill to be entitled An Act relating to the authority of a municipality located in more than one county to create an industrial development corporation and to levy a sales and use tax.

The bill was read third time.

Representatives Goodman and Park offered the following amendment to the bill:

Amend **SB 124**, on third reading as follows:

(1) Add a new appropriately numbered section to read as follows:

"SECTION _____. Section 4B(2), Development Corporation Act of 1979 (Article 5190.6, Vernon's Texas Civil Statutes), is amended to read as follows:

"(2) "Project" means land, buildings, equipment, facilities, and improvements included in the definition of that term under Section 2 of this Act and land, buildings, equipment, facilities, and improvements found by the board of directors to be required or suitable for use for professional and amateur (including children's) sports, athletic, entertainment, tourist, convention, and public park purposes and events, including stadiums, ball parks, auditoriums, amphitheaters, concert halls, learning centers, parks and park facilities, open space improvements, municipal buildings, museums, exhibition facilities, and related store, restaurant, concession, and automobile parking facilities, related area transportation facilities, and related roads, streets, and water and sewer facilities, and other related improvements that enhance any of those items, and the maintenance and operating costs for any such project if the facility or structure does not generate sufficient revenue to cover more than fifty percent of its maintenance and operating costs and the proposition by which such tax was approved provided that such revenue could be used for the maintenance and operating costs for such project."

(2) Renumber subsequent sections appropriately.

The Goodman-Park amendment was adopted without objection.

Representative Goodman moved to reconsider the vote by which the Goodman-Park amendment was adopted.

The motion to reconsider prevailed.

The Goodman-Park amendment failed of adoption.

Representative Junell offered the following amendment to the bill:

Amend **SB 124**, on third reading, by inserting an appropriately numbered section to read as follows and renumbering the other sections of the bill accordingly:

SECTION _____. Section 25(e), Development Corporation Act of 1979 (Article 5190.6, Vernon's Texas Civil Statutes), is amended to read as follows:

(e) The principal of and interest on any bonds issued by the corporation shall be secured by a pledge of the revenues and receipts derived by the corporation from the lease or sale of the project so financed or from the loan made by the corporation with respect to the project so financed or refinanced and may be secured by a mortgage covering all or any part of such project, including any enlargements of and additions to such project thereafter made. The resolution under which the bonds are authorized to be issued and any such mortgage may contain any agreements and provisions respecting the maintenance of the project covered thereby, the fixing and collection of rents, purchase price payments or loan payments, the creation and maintenance of special funds from such revenues and the rights and remedies available in the event of default, all as the board of directors shall deem advisable and not in conflict with the provisions hereof. The resolution under which the bonds are authorized to be issued and the mortgage may contain any agreements and provisions for satisfying the financial assurance requirements applicable to a project for which a permit is required under Chapter 361, Health and Safety Code, or Chapter 27, Water Code, including those relating to construction, proper operation, liability coverage, emergency response capability, well plugging, closure, and postclosure care. Evidence of the passage of a resolution by a governing body approving or agreeing to approve the issuance of bonds for the purpose of satisfying the financial assurance requirements applicable to such a project is an adequate demonstration that sufficient financial resources will be available to comply with all existing financial assurance requirements. Each pledge, agreement, and mortgage made for the benefit or security of any of the bonds of the corporation shall continue effective until the principal of and interest on the bonds for the benefit for which the same were made have been fully paid.

The Junell amendment was adopted without objection.

A record vote was requested.

SB 124, as amended, was passed by (Record 78): 114 Yeas, 19 Nays, 1 Present, not voting.

Yeas — Alexander; Allen; Alonzo; Alvarado; Averitt; Bailey; Berlanga; Black; Bomer; Bosse; Brady; Brimer; Cain; Campbell; Carter; Clemons; Coleman; Combs; Conley; Cook; Counts; Cuellar, H.; Cuellar, R.; Danburg; Davila; Davis; De La Garza; Dear; Delco; Delisi; Denton; Driver; Duncan; Dutton; Earley; Eckels; Edwards; Erickson; Finnell; Flores; Gallego; Gallegos; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Harris; Hernandez; Hightower; Hirschi; Hochberg; Holzheuser; Hudson; Hunter, B.; Hunter, T.; Jackson; Johnson; Jones, J.; Junell; Kamel; Kuempel; Linebarger; Longoria; Marchant; Martin; Maxey; McCoulskey; McDonald; Moffat; Moreno; Munoz; Naishtat; Oakley; Oliveira; Park; Parra; Pitts; Place; Puente; Rabuck; Ramsay; Rangel; Raymond; Rodriguez; Romo; Sadler; Saunders; Schechter; Seidlits; Shields; Siebert; Smith, A.; Solis; Swinford; Tallas; Talton; Telford; Thompson, G.; Thompson, S.; Turner, B.; Uher; Van de Putte; Vowell; Williamson; Willis; Wilson; Wolens; Yarbrough; Yost; Zbraneck.

Nays — Blackwood; Carona; Chisum; Crabb; Craddick; Haggerty; Hamric; Hartnett; Heflin; Hill; Horn; James; Krusee; Kubiak; Madden; Ogden; Price; Smith, D.; West.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Corte; Culberson; Granoff; Hilbert; Hilderbran; Lewis; McCall; Nieto; Patterson.

Absent — Jones, D.; Mowery; Rudd; Smithee; Stiles; Turner, S.

On motion of Representative Erickson and by unanimous consent, the caption of **SB 124** was ordered amended to conform to the body of the bill.

HB 131 ON THIRD READING

The speaker laid before the house on its third reading and final passage,

HB 131, A bill to be entitled An Act relating to eliminating the promiscuity defense for a person who sexually assaults a child.

The bill was read third time.

Representative Chisum offered the following amendment to the bill:

Amend the 2nd reading engrossment of **HB 131**, as follows:

On page 2, strike line 18 and substitute:

and of the opposite sex; and

Representative Maxey moved to table the Chisum amendment.

The motion to table was withdrawn.

A record vote was requested.

The Chisum amendment was adopted by (Record 79): 96 Yeas, 36 Nays, 1 Present, not voting.

Yeas — Alexander; Allen; Averitt; Bailey; Black; Blackwood; Bomer; Bosse; Brady; Brimer; Cain; Campbell; Carona; Carter; Chisum; Clemons; Combs; Cook; Counts; Crabb; Craddick; Cuellar, H.; Dear; Delisi; Denton; Driver; Duncan; Dutton; Earley; Eckels; Edwards; Erickson; Finnell; Gallego; Glaze; Goodman; Goolsby; Grusendorf; Gutierrez; Haggerty; Hamric; Harris; Hartnett; Heflin; Hightower; Hill; Holzheuser; Horn; Hunter, B.; Hunter, T.; Jackson; James; Johnson; Jones, D.; Jones, J.; Junell; Kamel; Krusee; Kubiak; Kuempel; Linebarger; Madden; Marchant; Martin; McCoulskey; Moffat; Mowery; Oakley; Ogden; Park; Pitts; Place; Rabuck; Ramsay; Raymond; Rodriguez; Rudd; Sadler; Saunders; Shields; Siebert; Smith, A.; Smith, D.; Stiles; Swinford; Tallas; Talton; Telford; Thompson, G.; Turner, B.; Uher; Vowell; West; Yarbrough; Yost; Zbranek.

Nays — Alonzo; Alvarado; Berlanga; Coleman; Conley; Cuellar, R.; Danburg; Davila; Davis; De La Garza; Delco; Flores; Gallegos; Gray; Greenberg; Hernandez; Hirschi; Hochberg; Hudson; Longoria; Maxey; McDonald; Moreno; Munoz; Naishtat; Oliveira; Parra; Price; Rangel; Romo; Schechter; Solis; Thompson, S.; Turner, S.; Van de Putte; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Corte; Culberson; Granoff; Hilbert; Hilderbran; Lewis; McCall; Nieto; Patterson.

Absent — Giddings; Puente; Seidlits; Smithee; Williamson; Willis; Wolens.

HB 131, as amended, was passed.

HB 288 ON THIRD READING

The speaker laid before the house on its third reading and final passage,

HB 288, A bill to be entitled An Act relating to criminal trespass on land where crops are grown.

The bill was read third time and was passed.

HB 343 ON THIRD READING

The speaker laid before the house on its third reading and final passage,

HB 343, A bill to be entitled An Act relating to the reporting of certain injuries to the Department of Public Health.

The bill was read third time and was passed. (Craddick, Heflin, and Kubiak recorded voting no.)

HB 536 ON THIRD READING

The speaker laid before the house on its third reading and final passage,

HB 536, A bill to be entitled An Act relating to the law governing consent by certain persons to the taking of breath or blood samples.

The bill was read third time and was passed.

MESSAGE FROM THE SENATE

Austin, Texas, March 4, 1993

The Honorable Speaker of the House of Representatives
House Chamber

The Honorable
Mr. Speaker:

I am directed by the Senate to inform the House that the Senate has passed the following:

HCR 53 by Edwards, inviting President Bill Clinton to address a joint session. . . .

Respectfully,
Betty King
Secretary of the Senate

HB 736 ON THIRD READING

The speaker laid before the house on its third reading and final passage,

HB 736, A bill to be entitled An Act relating to the payment of interest on unpaid fines and costs assessed by a justice or municipal court.

The bill was read third time and was passed.

HB 772 ON THIRD READING

The speaker laid before the house on its third reading and final passage,

HB 772, A bill to be entitled An Act relating to the disposition of abandoned or unclaimed property.

A record vote was requested.

The bill was read third time and was passed by (Record 80): 133 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Alexander; Allen; Alonzo; Alvarado; Averitt; Bailey; Berlanga; Black; Blackwood; Bomer; Bosse; Brady; Brimer; Cain; Campbell; Carona; Carter; Chisum; Clemons; Coleman; Combs; Conley; Cook; Counts; Crabb; Craddick; Cuellar, H.; Cuellar, R.; Danburg; Davila; Davis; De La Garza; Dear; Delco; Delisi; Denton; Driver; Duncan; Dutton; Earley; Eckels; Edwards; Erickson; Finnell; Flores; Gallego; Gallegos; Giddings; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Harris; Hartnett; Heflin; Hernandez; Hightower; Hill; Hirschi; Hochberg; Holzheuser; Horn; Hudson; Hunter, B.; Hunter, T.; Jackson; James; Johnson; Jones, D.; Jones, J.; Junell; Kamel; Krusee; Kubiak; Kuempel; Linebarger; Longoria; Madden; Marchant; Martin; Maxey; McCoulskey; McDonald; Moffat; Moreno; Mowery; Munoz; Naishtat; Oakley; Ogden; Oliveira; Park; Parra; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Rodriguez; Romo; Sadler; Schechter; Shields; Siebert; Smith, A.; Smith, D.; Solis; Swinford; Tallas; Talton; Telford; Thompson, G.; Thompson, S.; Turner, B.; Turner, S.; Uher; Van de Putte; Vowell; West; Willis; Wilson; Wolens; Yarbrough; Yost; Zbranek.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Corte; Culberson; Granoff; Hilbert; Hilderbran; Lewis; McCall; Nieto; Patterson.

Absent — Rudd; Saunders; Seidlits; Smithee; Stiles; Williamson.

HR 282 - ADOPTED

Representative Oakley moved to suspend all necessary rules to take up and consider at this time, **HR 282**.

The motion prevailed without objection.

The speaker laid before the house the following resolution:

By Oakley:

HR 282, Congratulating Lamar Elementary School on the occasion of its 70th anniversary.

The resolution was adopted without objection.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Appropriations, 1:00 p.m. today, Appropriations Committee room, to consider **HB 640** and **HB 650**.

Urban Affairs, Subcommittee on Gangs, on adjournment today, Room E2.030, Capitol Extension, to consider **HB 967**.

State Affairs, Subcommittee on **HB 984**, on adjournment today, Desk 10, to consider **HB 984**.

Public Safety, on adjournment today, Room E2.026, Capitol Extension, to consider **HB 272** and **HB 977**.

Licensing and Administrative Procedures, Subcommittee on **HB 563**, on adjournment today, Desk 85, to consider **HB 563**.

Higher Education, Subcommittee on **HB 326**, on adjournment today, Desk 118, to consider **HB 326**.

Elections, Subcommittee on **HB 74** and **HB 75**, 1:00 p.m. today, Room E2.012, Capitol Extension, to consider **HB 74** and **HB 75**.

PROVIDING FOR ADJOURNMENT

Representative Junell moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the house adjourn until 10 a.m. Monday, March 8.

The motion prevailed without objection.

HOUSE BILLS ON FIRST READING

The following house bills were today laid before the house, read first time, and referred to committees:

By Craddick:

HB 1376, A bill to be entitled An Act relating to the date that the gas production tax is due on certain gas.

To Committee on Ways and Means.

By Zbranek, et al.:

HB 1377, A bill to be entitled An Act relating to the return of a warrant or check issued by a county.

To Committee on County Affairs.

By Krusee, et al.:

HB 1378, A bill to be entitled An Act relating to certain exemptions from the Texas Structural Pest Control Act.

To Committee on Environmental Regulation.

By Krusee:

HB 1379, A bill to be entitled An Act relating to the process of removing certain municipal officers from office.

To Committee on Urban Affairs.

By Hightower:

HB 1380, A bill to be entitled An Act relating to the creation, administration, powers, duties, operation, and financing of the Polk County Hospital District; authorizing a tax; granting the authority to issue bonds; and granting the power of eminent domain.

To Committee on County Affairs.

By Edwards:

HB 1381, A bill to be entitled An Act relating to equal access for non-curriculum-related student groups, including student prayer groups, to public school premises for meetings during noninstructional time.

To Committee on Public Education.

By Edwards:

HB 1382, A bill to be entitled An Act relating to bail for persons charged with felonies under the Texas Controlled Substances Act.

To Committee on Criminal Jurisprudence.

By Edwards:

HB 1383, A bill to be entitled An Act relating to the selection of a grand jury and to procedures before the grand jury.

To Committee on Criminal Jurisprudence.

By Eckels:

HB 1384, A bill to be entitled An Act relating to the waste tire recycling program; providing for civil penalties and injunctive relief.

To Committee on Environmental Regulation.

By Eckels, et al.:

HB 1385, A bill to be entitled An Act relating to the recall of public officers elected or appointed for a term.

To Committee on State Affairs.

By Eckels:

HB 1386, A bill to be entitled An Act relating to the repeal or tax rate rollback of taxes imposed by political subdivisions of this state.

To Committee on Ways and Means.

By Oliveira, et al.:

HB 1387, A bill to be entitled An Act relating to the funding of the unemployment compensation program.

To Committee on Economic Development.

By Oliveira, et al.:

HB 1388, A bill to be entitled An Act relating to the definition of an unemployment insurance benefit year.

To Committee on Economic Development.

By T. Hunter:

HB 1389, A bill to be entitled An Act relating to the appraisal of teachers and termination of the teacher career ladder.

To Committee on Public Education.

By Romo and J. Jones:

HB 1390, A bill to be entitled An Act relating to the employment of children.

To Committee on Economic Development.

By Romo and J. Jones:

HB 1391, A bill to be entitled An Act relating to the creation of the offense of permitting a child to sell items or services or solicit donations at night.

To Committee on Economic Development.

By Vowell:

HB 1392, A bill to be entitled An Act relating to the authority of the Texas Department of Human Services to assess monetary penalties against a home or community care provider.

To Committee on Human Services.

By Culberson:

HB 1393, A bill to be entitled An Act relating to the offense of the unauthorized use of a vehicle.

To Committee on Criminal Jurisprudence.

By Duncan:

HB 1394, A bill to be entitled An Act relating to the appointment of appellate justices and judges and certain district judges and to the election on confirmation of those justices and judges.

To Committee on Judicial Affairs.

By Duncan:

HB 1395, A bill to be entitled An Act relating to residential construction liability.

To Committee on Business and Industry.

By Kubiak:

HB 1396, A bill to be entitled An Act relating to the abolition of the Texas Public Finance Authority and the Bond Review Board and the transfer of their powers and duties to the Office of Debt Management; creating the Office of Debt Management and authorizing the office as a central agency to issue certain bonds.

To Committee on State Affairs.

By Kubiak:

HB 1397, A bill to be entitled An Act relating to the transfer of the regulation of perpetual care cemeteries and the sale of prepaid funeral services and merchandise from the banking department to the State Board of Insurance.

To Committee on Investments and Banking.

By Hochberg:

HB 1398, A bill to be entitled An Act relating to the Division of Communicative Disorders at The University of Texas Graduate School of Biomedical Sciences at Houston.

To Committee on Higher Education.

By A. Smith and Linebarger:

HB 1399, A bill to be entitled An Act relating to state funding for vocational education programs.

To Committee on Public Education.

By Raymond, et al.:

HB 1400, A bill to be entitled An Act relating to the suspension of the driver's license of certain persons younger than 21 years of age.

To Committee on Criminal Jurisprudence.

By B. Hunter:

HB 1401, A bill to be entitled An Act relating to the eligibility of certain repeat offenders under the Texas Controlled Substances Act for deferred adjudication or release on probation, parole, or mandatory supervision.

To Committee on Criminal Jurisprudence.

By Telford:

HB 1402, A bill to be entitled An Act relating to the disposal of certain industrial solid waste in certain locations.

To Committee on Environmental Regulation.

By H. Cuellar and Nieto:

HB 1403, A bill to be entitled An Act relating to the salary of the bailiff of the 341st District Court.

To Committee on Judicial Affairs.

By Krusee:

HB 1404, A bill to be entitled An Act relating to the punishment and eligibility for parole of a repeat and habitual violent offender.

To Committee on Criminal Jurisprudence.

By Bosse,, Bailey, Hilbert, and Crabb:

HB 1405, A bill to be entitled An Act relating to the extraterritorial jurisdiction of certain municipalities.

To Committee on Urban Affairs.

By Wilson:

HB 1406, A bill to be entitled An Act relating to the educational requirements for certain peace officers and reserve law enforcement officers.

To Committee on Public Safety.

By Wilson:

HB 1407, A bill to be entitled An Act relating to the right of state employees voluntarily to designate any portion of their earned income to certain charitable organizations.

To Committee on State Affairs.

By Puente:

HB 1408, A bill to be entitled An Act relating to the sale or lease of computer software by certain municipalities.

To Committee on Urban Affairs.

By Dutton:

HB 1409, A bill to be entitled An Act relating to the performance of law enforcement functions in certain counties.

To Committee on County Affairs.

By Dutton:

HB 1410, A bill to be entitled An Act relating to the requirements for highway construction in an urban district.

To Committee on Transportation.

By Dutton:

HB 1411, A bill to be entitled An Act relating to the powers of a neighborhood enterprise association.

To Committee on Economic Development.

By Dutton:

HB 1412, A bill to be entitled An Act relating to restrictions on the ability of county civil service employees to run for certain elective offices.

To Committee on County Affairs.

By Dutton:

HB 1413, A bill to be entitled An Act relating to assistance to disadvantaged businesses in professional services contracts.

To Committee on State Affairs.

By Dutton:

HB 1414, A bill to be entitled An Act relating to the admission of a child to first grade.

To Committee on Public Education.

By Black and Marchant:

HB 1415, A bill to be entitled An Act relating to the powers and duties of, and systems and programs administered by, the Employees Retirement System of Texas and the Teacher Retirement System of Texas.

To Committee on Investments and Banking.

By Flores:

HB 1416, A bill to be entitled An Act relating to the age of a child required to attend public schools.

To Committee on Public Education.

By Bomer:

HB 1417, A bill to be entitled An Act relating to hunting, wildlife management, and wildlife management areas.

To Committee on Agriculture and Wildlife Management.

By Chisum, et al.:

HB 1418, A bill to be entitled An Act relating to a contract concerning the grounds by which the parties to a marriage may dissolve the marriage.

To Committee on Judicial Affairs.

By McDonald, Moreno, Parra, Haggerty, and Vowell:

HB 1419, A bill to be entitled An Act relating to the powers and duties of the prosecutors for the state in El Paso County.

To Committee on Judicial Affairs.

By Hochberg:

HB 1420, A bill to be entitled An Act relating to the enforcement of real property restrictions by certain municipalities; providing a penalty.

To Committee on Urban Affairs.

By Madden:

HB 1421, A bill to be entitled An Act relating to credit in the Teacher Retirement System of Texas for out-of-state service.

To Committee on Investments and Banking.

By Madden:

HB 1422, A bill to be entitled An Act relating to the minimum fee for an election services contract.

To Committee on Elections.

By Puente:

HB 1423, A bill to be entitled An Act relating to the election of certain county court judges.

To Committee on Judicial Affairs.

By Maxey:

HB 1424, A bill to be entitled An Act clarifying certain definitions in the Medical Practice Act.

To Committee on Public Health.

By Hilbert:

HB 1425, A bill to be entitled An Act relating to the operation and licensing of a brew pub.

To Committee on Licensing and Administrative Procedures.

By Hilbert, et al.:

HB 1426, A bill to be entitled An Act relating to the regulation of plumbing.

To Committee on Licensing and Administrative Procedures.

By Hilbert:

HB 1427, A bill to be entitled An Act relating to athletic trainers.

To Committee on Public Health.

By Hilbert, et al.:

HB 1428, A bill to be entitled An Act relating to the employment or other presence of a minor on the premises of certain businesses selling alcoholic beverages.

To Committee on Licensing and Administrative Procedures.

By Stiles:

HB 1429, A bill to be entitled An Act relating to the payment of subcontractors by a contractor after the receipt of a progress payment.

To Committee on Business and Industry.

By Hightower:

HB 1430, A bill to be entitled An Act relating to driver's licenses and personal identification cards issued to certain persons.

To Committee on Public Safety.

By Saunders:

HB 1431, A bill to be entitled An Act relating to the Hazard Communication Act, Manufacturing Facility and Public Employer Community Right-to-Know Act, and the Non-Manufacturing Facilities Community Right-to-Know Act; providing separate employee right-to-know and community right-to-know requirements; providing for the collection of fees; and providing administrative, civil, and criminal penalties.

To Committee on Environmental Regulation.

By Uher:

HB 1432, A bill to be entitled An Act relating to the powers of a river authority that engages in the distribution and sale of electric energy.

To Committee on Energy Resources.

By Goodman, Hill, Carona, et al.:

HB 1433, A bill to be entitled An Act relating to the enforcement, collection, and withholding of income for child support.

To Committee on Judicial Affairs.

By Goodman, Hill, Carona, et al.:

HB 1434, A bill to be entitled An Act relating to the establishment or modification of a child support order, including guidelines for the support of children of multiple families.

To Committee on Judicial Affairs.

By Hill:

HB 1435, A bill to be entitled An Act relating to parental notification before an abortion may be performed on a minor; providing a criminal penalty.

To Committee on State Affairs.

By Marchant:

HB 1436, A bill to be entitled An Act relating to the rates of the franchise tax.

To Committee on Ways and Means.

By Haggerty:

HB 1437, A bill to be entitled An Act relating to the making of a statement to a court and to the defendant by a victim of a criminal offense or the victim's relative or guardian.

To Committee on Criminal Jurisprudence.

By Haggerty:

HB 1438, A bill to be entitled An Act relating to the audit and expenditure of fund balances of certain executive and administrative agencies.

To Committee on Ways and Means.

By Oakley:

HB 1439, A bill to be entitled An Act relating to symbols imprinted on or molded into certain plastic containers.

To Committee on Environmental Regulation.

By De La Garza:

HB 1440, A bill to be entitled An Act relating to the requirement of pro bono legal services by certain attorneys.

To Committee on Judicial Affairs.

HOUSE JOINT RESOLUTIONS ON FIRST READING

The following house joint resolutions were today laid before the house, read first time, and referred to committees:

By Rabuck, Junell, and Hamric:

HJR 66, A joint resolution proposing a constitutional amendment to provide for legislative review of state agency rules.

To Committee on State Affairs.

By Uher, et al.:

HJR 67, A joint resolution proposing a constitutional amendment authorizing the exemption from ad valorem taxation of boats and other

equipment used in the commercial taking of fish, shrimp, shellfish, and other marine life.

To Committee on Ways and Means.

By Eckels, et al.:

HJR 68, A joint resolution proposing a constitutional amendment to authorize recall elections for officers elected or appointed for a term.

To Committee on State Affairs.

By Duncan:

HJR 69, A joint resolution proposing a constitutional amendment relating to constitutionally dedicated funding for public institutions of higher education.

To Committee on Appropriations.

By Duncan:

HJR 70, A joint resolution proposing a constitutional amendment relating to the appointment of appellate justices and judges and certain district judges by the governor and to confirmation elections on a nonpartisan ballot of those justices and judges.

To Committee on Judicial Affairs.

By Dutton:

HJR 71, A joint resolution proposing a constitutional amendment to abolish the office of sheriff in Harris County.

To Committee on County Affairs.

By James:

HJR 72, A joint resolution proposing a constitutional amendment to allow the abolition of the office of county treasurer in Rockwall County.

To Committee on County Affairs.

SENATE BILLS ON FIRST READING

The following senate bills were today laid before the house, read first time, and referred to committees:

SB 5 to Committee on Appropriations.

SB 77 to Committee on Investments and Banking.

SB 81 to Committee on Appropriations.

SB 87 to Committee on Licensing and Administrative Procedures.

SB 155 to Committee on State Affairs.

SB 231 to Committee on Agriculture and Wildlife Management.

SB 238 to Committee on Investments and Banking.

SB 371 to Committee on Criminal Jurisprudence.

SB 385 to Committee on State Affairs.

RESOLUTIONS REFERRED TO COMMITTEES

The following resolutions were laid before the house and referred to committees:

By Rodriguez:

HCR 65, Granting Bobby Adams permission to sue the State of Texas.
To Committee on Judicial Affairs.

HCR 66 was previously referred.

By Eckels:

HCR 67, Applying to the Congress of the United States to call a convention for the specific purpose of proposing an amendment to the Constitution of the United States to grant item veto authority to the president of the United States.

To Committee on State Affairs.

By A. Smith and Finnell:

HCR 68, Expressing the expectation that Texas public universities use the "College Proficiency Specialization" as a model for minimum admission standards for students.

To Committee on Higher Education.

By A. Smith:

HCR 69, Designating the week of March 28 to April 3, 1993, as Distance Learning Week in Texas.

To Committee on Higher Education.

By Stiles:

HCR 70, Designating the Texas Energy Museum as the state museum on energy.

To Committee on International and Cultural Relations.

By Finnell:

HCR 71, Granting J. E. Isbell, Inc., permission to sue the State of Texas and the Parks and Wildlife Department.

To Committee on Judicial Affairs.

By Seidlits:

HCR 72, Honoring Ben Blackburn for his contributions to his community and state.

To Committee on Rules and Resolutions.

SCR 36, Expressing appreciation to the Texas PTA for its faithful service on behalf of the children of our state.

To Committee on Rules and Resolutions.

SCR 37, Commending the remarkable life of Dr. Gideon Lincecum and recognizing his magnificent contributions to his adopted state and the world.

To Committee on Rules and Resolutions.

By Linebarger:

HR 344, Honoring Helen Marie Dey and Robert Barrett "Doc" Greene on the joyous occasion of their wedding and granting permission to use the house chamber on June 12, 1993, for their ceremony.

To Committee on House Administration.

HR 345 was previously referred.

HR 346 was previously referred.

HR 347 was previously adopted.

HR 348 was previously adopted.

By McDonald, et al.:

HR 349, Expressing support of efforts to construct a museum to memorialize and commemorate the sacrifices of United States servicemen and women.

To Committee on International and Cultural Relations.

By McDonald, et al.:

HR 350, Proclaiming March 24, 1993, as El Paso Day at the Capitol.

To Committee on Rules and Resolutions.

HR 351 was previously adopted.

By Gallegos:

HR 352, Congratulating Holman Antonio Martinez and Elisa Denise Salinas on the occasion of their wedding.

To Committee on Rules and Resolutions.

By Bosse:

HR 353, Congratulating Kirby Scott Leshner on his attainment of the rank of Eagle Scout.

To Committee on Rules and Resolutions.

By Bosse:

HR 354, Honoring Christopher G. Glazner on his attainment of the rank of Eagle Scout.

To Committee on Rules and Resolutions.

By Oakley:

HR 355, Paying tribute to the life of Winnie Cole Norwood.

To Committee on Rules and Resolutions.

By Munoz, et al.:

HR 356, Recognizing March 1993 as Party Smart Month in Texas.

To Committee on Rules and Resolutions.

By Denton:

HR 357, Congratulating William Crockett on the occasion of his retirement.

To Committee on Rules and Resolutions.

By Alonzo:

HR 358, Paying tribute to the life of Arnulfo Davila Macias.

To Committee on Rules and Resolutions.

ADJOURNMENT

In accordance with a previous motion, the house, at 11:33 a.m., adjourned until 10 a.m. Monday, March 8.

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

Criminal Jurisprudence - **HB 119, HB 261, HB 727**

Natural Resources - **HB 315, HB 318, HB 461, HB 564**

Public Health - **HB 771, HB 877**

State Affairs - **HB 947**

ENGROSSED

March 2 - **HB 38, HB 424**

